

**GHSS JOINT BOARD
EXAMINING BOARD OF PROFESSIONAL GEOLOGISTS,
HYDROLOGISTS AND SOIL SCIENTISTS**

FEBRUARY 16, 2005

PRESENT: Stephen Donohue, Robert Wendt, Thomas Evans, David Mickelson,
Robert Karnauskas, Tracy Benzal, and Ruth G. Johnson

EXCUSED: Joan Underwood, Jon Gumtow

STAFF PRESENT: Jerry Lowrie, Bureau Director; Kelly Niesen, Program Assistant; Bill Black,
Legal Counsel

GUESTS: Mike Collentine, Alliance of Technical Professions
Duane Klein, WDATCP

CALL TO ORDER

Jerry Lowrie, Bureau Director of Business and Design, called the meeting to order at 9:05. A quorum of seven members was present.

ADOPTION OF AGENDA

MOTION: Stephen Donohue moved, seconded by Tracy Benzal, to approve the agenda as published. Motion carried unanimously.

ELECTION OF OFFICERS FOR 2005

MOTION: Ruth G. Johnson moved, seconded by David Mickelson, to nominate Stephen Donahue for Chair, Tracy Benzal for Vice Chair, and Joan Underwood for Secretary. Motion carried unanimously.

APPOINT BOARD'S REPRESENTATIVES FOR SCREENING PANEL BY BOARD CHAIR

Tracy Benzal serves on the screening panel for the Soil Scientists Section. Ruth G. Johnson volunteered to be a second person on the screening panel to serve the public's interest for the Hydrology Section. Robert Karnauskas volunteered to serve on the Hydrologist Section screening panel as a professional member, if needed.

APPROVAL OF MINUTES (09/18/03)

MOTION: Thomas Evans moved, seconded by Tracy Benzol, to approve the minutes of September 18, 2003 as written. Motion carried unanimously.

ADMINISTRATIVE REPORT - JERRY LOWRIE, BUREAU DIRECTOR

Mr. Lowrie stated that there are currently no rules pending. Discussions pertaining to rule changes would go before the GHSS Joint Board Rules Committee.

BOARD ROSTER

The Hydrology Section has one professional member vacancy.

Thomas Evans stated that the Geologist Section is still waiting for a public member. David Mickelson informed the Board that he is resigning from the Geologist Section when his term expires on July 2005. The Section will have one professional member vacancy and one public member vacancy and will be unable to conduct a meeting until one or two members are appointed.

The Board requested that the Department take an aggressive role in contacting the Governors office to fill public member vacancies.

Mr. Lowrie will follow through on the Departments role in contacting the Governor's office concerning public member vacancies on the Geologist and Soil Scientists Sections. Interested persons wanting to serve on a Board or Section should send a cover letter along with a resume to Mindy Walker at the Governor's Office.

2005 MEETING DATES

Next meeting is August 17, 2005.

SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES AND PRESS RELEASES

BLUE LICENSE RENEWAL FORM AND TEMP LICENSE

Mr. Lowrie reported that on April 1, 2004 the blue renewal license form and the temporary license was changed to be the bottom third of a full-size sheet of paper. It will have horizontal and vertical perforations to remove it from the rest of the sheet. While the sizing will be a bit different for the bigger part of the license, it will be quite close in shape to what we currently have and the wallet card will be the same size. Advantages are:

1. Licenses printed from regular laser printers.

2. Several security features in the paper the Department is purchasing, including the watermark on the back and some invisible fibers.
3. Ability to print one mailing address at the top of the form and a different physical address on the actual license (This is great for establishments that cannot receive mail at the actual location).
4. Additional sequence numbering allowed above the mailing address, which will help in the machine inserting process at DOA at renewal time.

DEPARTMENT'S BUDGET UPDATE

Mr. Lowrie reported on the Governor's budget reduction of 10% along with staff reductions by 11.85 positions. The Governor's budget proposal is to restructure the Department by moving attorneys, paralegals, human resource staff, and payroll benefit services to the Department of Administration. Consolidate attorneys to become part of an enterprise-wide law firm. This would reduce the Department positions by 28 full time employees. The expenditure authority would remain to purchase services from the Department of Administration. Investigators and other Division of Enforcement staff will remain at the Department.

TRAVEL AND HOTEL POLICY DISCUSSION

Department's Out-of-State Travel Policy

Mr. Lowrie reported on the Department's out-of-state travel policy. The Department will fund one Board or Section member or Department staff person to attend one out-of-state conference in a fiscal year (July 1 to June 30), upon a motion made by the Board or Section designating its representative and upon Department approval.

Hotel Cancellation Policy

Mr. Lowrie reported on the Department's hotel cancellation policy. If the Board or Section member is not going to use the reserved hotel room, it is the responsibility of the Board or Section member to cancel the room by calling the hotel. If the Department is charged a fee for a hotel room that has not been cancelled, the Board or Section member may be responsible to pay the bill. If a meeting is cancelled due to a lack of a quorum or no business, Department staff will cancel any room reservations.

STATUTES AND ADMINISTRATIVE RULES

RL 4.07 CHEATING ON EXAMINATIONS – RE-EXAMINATIONS

Mr. Lowrie reported on the Department's universal cheating policy. The new RL 4 rule will create consistency and efficiency regarding discipline. Mr. Lowrie requested comments from the Board regarding the Department's new cheating rule. Boards will still use their discretion regarding discipline.

PROPOSED PECFA RULES CHANGES

Lori Huntoon, Department of Commerce, assisted in the proposed PECFA rule changes. The rules have not gone into effect. The Board expressed their appreciation for Ms. Huntoon's efforts regarding the proposed PECFA rule changes.

EMERGENCY RULES – BACKGROUND CHECKS

Mr. Lowrie reported that the emergency rule is in response to federal public law that required authorization by state statute to continue the FBI's policy of honoring state requests for criminal background reports. The rule modifies the authority of the Department to conduct criminal background checks of applicants and requires rule making by the Department to conduct investigations whether an applicant for or holder of any credential issued by the Department has been charged with or convicted of a crime.

The emergency rule preserves the ability of the Department to continue its practice of conducting criminal background investigations of applicants and credential holders and eliminates the ability of the Department to exempt peace officers from the fingerprinting requirement for credentialing as a private detective or private security person.

As part of an investigation, the Department may require a credential holder to be photographed and fingerprinted. The Department may refer photographs and fingerprints so obtained to the Department of Justice for internal analysis or submission of the fingerprint cards to the Federal Bureau of Investigation for the purpose of verifying the identity of the persons fingerprinted and obtaining records of their criminal arrests and convictions.

ADMINISTRATIVE RULE – MAKING PROCEDURES REQUIRED IN 2003 WISCONSIN ACT 118

Mr. Lowrie reported on the new "Changes to Administrative Rule-Making Procedures Required in 2003 Wisconsin Act 118." These changes will require more research regarding rule-making procedures. Some changes include private sector fiscal estimates, additions to scope statements, additions to draft rule reports and additions to legislative reports.

The Board would like to see less rule changes due to the complex steps that have to be met in order to get a rule passed.

SECTION REPORTS

GEOLOGISTS, THOMAS J. EVANS

Thomas Evans reported that the Section is minus one public member. When one member is absent, the Section is unable to meet due to a lack of a quorum.

HYDROLOGISTS, STEPHEN DONOHUE

Stephen Donohue reported that the Hydrology Section is minus one Professional Member. There are no discipline cases pending. The Section needs to keep up to date on examinations by following up on what is taking place at the American Institute of Hydrology Annual meetings.

SOIL SCIENTISTS, TRACY BENZEL

Tracy Benzel reported that other states do not require Soil Scientists licensure. Wisconsin has it's own standards for nutrient management where the other states do not.

DISCUSSION OF INTER-AGENCY LIAISON COMMITTEE

The Board discussed reconstituting the Inter-Agency Liaison Committee and stressed the importance of reaching out to sister agencies to get a better understanding of the process in this agency.

Mr. Lowrie will invite a staff person from the Division of Enforcement to the next GHSS Joint Board meeting on August 17, 2005 to inform the Board of the process of screening complaints and closing cases.

MOTION: Robert Karnauskas moved, seconded by Ruth G. Johnson, to approve reconstituting the Inter-Agency Liaison Committee and work with the Bureau Director on statutes, rules, and DATCAP license requirements. Receive enlightenment from a Division of Enforcement representative and meet with state agency staff on the need for rule revisions; and discuss the importance of filing complaints with Department of Regulation and Licensing when professional licensees are committing incompetent work. Motion carried unanimously.

MOTION: Robert Karnauskas moved, seconded by Tracy Benzel, to appoint Thomas Evans, Robert Wendt, Ruth Johnson, Steven Donahue, and Robert Karnauskas as members of the Inter-Agency Liaison Committee. Motion carried unanimously.

Mr. Lowrie will contact the Secretary's office regarding an acceptable Inter-Agency Liaison Committee as committee members are appointed by the Secretary of the Department.

PRACTICE ISSUES

Mr. Black, Legal Counsel, will check on whether or not an applicant who received a license under the grandfather clause has to have supervised experience and report to Tracy Benzel, of the Soil Science Section.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

The Board discussed mailing information to students taking the Geology fundamentals examination.

NEW BUSINESS

None.

ADJOURNMENT

MOTION: Robert Karnauskas moved, seconded by David Mickelson, to adjourn the meeting at 11:51 a.m. Motion carried unanimously.

NEXT MEETING: August 17, 2005.